



# 2<sup>nd</sup> Nutrient Watershed Permit Status and Implementation Planning

PRE-PARDEE MEETING

SEPTEMBER 15, 2017

# Proposed Next Steps

- ▶ Incorporate any final edits to the Transmittal Letter of Intent and Attachment A
- ▶ Confer with WB and request the LOI from the Executive Officer
- ▶ Upon receipt of the LOI, transmit \$200k to SFEI with copy to WB as a voluntary contribution towards the NMS Science Plan
- ▶ Engage the WB permit writer in the coming months to begin developing the actual permit language for the 2<sup>nd</sup> WS Permit on particularly sticky issues:
  - ▶ Permit language for banking credits
  - ▶ Permit language on conduct of Regional Study

# Approach for Completing the Regional Study

- ▶ Once 2<sup>nd</sup> WS Permit is adopted (April 2019) engage a consultant to assist in preparation of a Scope of Work for inclusion in a Request for Proposal
- ▶ Similar to the Op/Upgrade selection process, transmit the draft SOW to the consulting community for input
- ▶ Finalize the SOW and issue an RFP
- ▶ Utilize the CMG to develop and conduct a selection process
- ▶ Contract with the selected consultant and prepare a Scoping and Evaluation Plan
- ▶ Review Scoping and Evaluation Plan with the WB and obtain approval
- ▶ Conduct the work with oversight from the CMG

# Scenario Planning for Potential Nutrient Regulations

- ▶ Scenario Planning: *“A structure way for organizations to think about the future”*
- ▶ The Nutrient issue for SF Bay is a complex problem with many variables and potential forces that may steer the ultimate direction (i.e. scientific findings, risk management, political pressure, public reaction, confidence levels in modeling, climate change, sea level rise, affordability, etc.)
- ▶ Given limited control over the external environment, the magnitude of potential costs and an unknown future, it may be in the POTW community 's interest to conduct early and perhaps frequent exercises in scenario planning either formally or informally.

# Scenario #1: Scientific Findings don't support immediate regulatory actions in 2024

- ▶ Description: Loads continue to increase at a slow pace but the science does not support immediate management actions and the WB wants to continue the science funding for a few more years.
- ▶ Brainstorming
  - ▶ What plants will already be reducing nutrients below their projected growth rate?
  - ▶ Will your agency continue to support the science funding at the current or perhaps even slightly higher levels?
  - ▶ Will you continue to wait and see if, and when, nutrient reductions will be required for your agency?
  - ▶ Would you support funding for the development of a trading program in anticipation of future management actions?
  - ▶ What role for BACWA do members feel would be beneficial?

# Scenario #2: Bay-wide Load Caps in 3<sup>rd</sup> WS Permit

- ▶ Description: Loads caps based on avg. of 2028/29 actual or projected TN loads must be met across the Bay beginning in 2030.
- ▶ Brainstorming
  - ▶ Who will already be meeting caps via early actions?
  - ▶ What do individual plants feel their best approach will be to meeting the caps?
  - ▶ What plants may pursue non-gray scape approaches?
  - ▶ What plants will plan on larger reductions for trading purposes?
  - ▶ What role for BACWA do members feel would be beneficial?

# Scenario #3: Load caps are implemented only in high risk subembayments

- ▶ Description: Modeling shows that the risk of impairment mandates load caps but only in one or two subembayments.
- ▶ Brainstorming
  - ▶ What are the most likely subembayments for regulatory actions?
  - ▶ What are the most likely approaches for impacted plants to meet the load caps?
  - ▶ How might the larger POTW community participate?
  - ▶ What happens with future science (monitoring and modeling) funding via BACWA?

# Scenario #4: A combination of events prompt the WB to implement load caps in the 2<sup>nd</sup> WS Permit.

- ▶ Description: HABS, fish kills, & public demand for action prompts the WB to implement load caps effective 2022:
  - ▶ What would your agency do in the short term?
  - ▶ What might your longer term plans involve?
  - ▶ Would your agency attempt to achieve significant reductions for trading or be interested in buying credits vs. making reductions?
  - ▶ What role do you see for BACWA, if any?